

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
JACKSON DIVISION**

**AMERICAN BANKERS INSURANCE COMPANY  
OF FLORIDA**

**PLAINTIFF**

vs.

**CIVIL ACTION NO. 3:05cv00106-HTW-JCS**

**KENNETH BRACEY, SHERRY BUCHANAN,  
JACQUELINE HARPER, FLORENCE KENNEBREW,  
CATHY KINNARD, ERICA LOMAX, WILLIE C. MOORE,  
WILLIE E. MOORE, CHERRY PITTINGER, WILLIAM  
ROTH, PERCY WASHINGTON and PATRICIA WHITE**

**DEFENDANTS**

**ORDER GRANTING AMERICAN BANKERS INSURANCE COMPANY  
OF FLORIDA'S MOTION TO DISMISS WITHOUT PREJUDICE**

There came on for hearing on this date in the above-entitled and numbered action the Plaintiff's motion to dismiss without prejudice the amended complaint and petition to compel arbitration filed by American Bankers Insurance Company of Florida ("ABIC"). The Court finds that the motion is well-taken and should be granted. Accordingly, ABIC's motion to dismiss the amended complaint and petition to compel arbitration without prejudice is hereby granted.

**SO ORDERED AND ADJUDGED**, this the 23rd day of May, 2006.

s/ HENRY T. WINGATE

CHIEF UNITED STATES DISTRICT JUDGE

**SUBMITTED BY:**

Walter D. Willson, Esq. (MSB # 7291)  
Randy L. Dean (MSB # 6011)  
Jeffrey B. Rimes (MSB # 100017)  
**WELLS MARBLE & HURST, PLLC**  
300 Concourse Blvd., Suite 200  
Ridgeland, Mississippi 39157  
Post Office Box 131  
Jackson, Mississippi 39205-0131  
Telephone: (601) 605-6900  
Facsimile: (601) 605-6901

**ATTORNEYS FOR AMERICAN BANKERS  
INSURANCE COMPANY OF FLORIDA**